IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO. 1013 OF 2004

IN

SUIT NO. 254 OF 2004

Smt. Rajniben P. Sampat
& Ors. .. Plaintiffs.

vs.

Smt. Damyanti D.
Sampat. .. Defendant.

And

Krishnabai G. Asher
& Ors. .. Respondents.

Mr. R.D. Dhanuka for defendant and respondent nos. 2 to 4.
Mr. C.D. Patel for Respondent no. 1.
Mrs. Kumbhar for respondent nos. 5 & 7.
Mr. N. Moile, P.S. Shah for plaintiff.

CORAM : S.U.KAMDAR, J.
DATE : 13th April, 2005.

P.C.

1. The learned counsel appearing for the plaintiff restricts the chamber summons by seeking to implead respondent nos. 1 to 4 being co-owenrs

as party defendants to the suit. He also does not press the amendment sought in paragraph 1 (c), (d), (e) and (f) and para 3 of the schedule to the chamber summons. He seeks leave to amend para. 1 (a) by substituting the defendant nos. 3 to 5 as 3 and 4 in the said para 1(a). In view thereof, the chamber summons is granted to the aforesaid extent. Respondent nos. 1 to 4 are permitted to be impleaded as parties. Consequential amendments in terms of para. 1 (a) and para. 4 of the said schedule are granted.

2. In so far as the other averments are concerned and the respondent nos. 5 to 9 are concerned, it is open to the plaintiff to file its own appropriate legal proceedings as may be available in law. With the aforesaid clarification, the chamber summons is disposed of accordingly. No order as to costs.